

**Chowan County Board of Commissioners**  
**Regular Meeting**  
**Monday February 4, 2008**  
**6:00 pm**  
**1767 Chowan County Courthouse**  
**117 East King Street**

The Chowan County Board of Commissioners held their regular on Monday, January 7, 2008, at 6:00 pm in the Panel Room of the Chowan County 1767 Courthouse, 117 East King Street.

Present: Jimmy Alligood, Bill Gardner, Kenny Goodwin, Louis Belfield, Harry Lee Winslow and Ralph Cole. Also present were County Manager, Cliff Copeland; County Attorney, Peter Rascoe and County Clerk, Susanne Stallings

Chairman Cole called the meeting to order and Commissioner Goodwin offered the invocation.

**Consent Agenda**

Commissioner Alligood moved that the Consent Agenda be approved including the minutes from the January 7, 2008 Regular Meeting, the following budget amendments and resolution:

**Budget Amendments**

3910 Water	decrease	\$65,000	delay Capital Outlay purchase
3418 General Fund	decrease	\$87,150	decrease various general fund Departments eliminating Capital Outlay expenses
5372 DSS	decrease	\$139,985	reduce capital outlay funds do to Postponement projects
5372 DSS	increase	\$4,832	Increase in crisis funding
4268 Senior Center	increase	\$3,263	OTR grant, outreach grant, health Promotion grant
5372 DSS	increase	\$14,594	Increase in crisis funding

**Tax Release**

Argenti, W	\$108.54	SITUS, South Carolina
Brabble, S	\$122.37	Not priced by computer correctly
Dominguez, A	\$6,583.94	Now owned by Chowan County
Groff, J.	\$102.83	Vehicle turned back in
Jackson, R.	\$109.07	Vehicle traded
Laytons Cust.	\$214.16	Vehicle double billed
Stevenson, K.	\$127.56	SITUS, Perquimans Co.
Williams, W.	\$148.17	SITUS, Perquimans Co.

**Resolution – Finance Cash and Margin Transactions**

A resolution allowing Finance Officer, Lisa Jones; County manager Cliff Copeland and Assistant Finance Officer, Kim Smith to perform cash and margin transactions in securities

**Audit Submittal**

### **Planning/ Enterprise Committee**

Commissioner Gardner noted that the Planning/Enterprise Committee met on Thursday, January 31, 2008. He said that the Board received updates on Planning, Recycle Initiative and Code Enforcement Activities and the committee received a proposed guideline for Cross Connection Control and Backflow prevention in the water distribution system.

Planner, Wes Haskett gave an update on Planning Activities and Janis Belch gave a report on Code Enforcement Activities.

### **Chowan County JCPC (Juvenile Crime Prevention Council) Resolution**

Mildred Vanterpool presented a resolution for the Board's consideration. She said that JCPC funds have been placed in a non-recurring status and are now subject to a continuation review. Ms. Vanterpool noted that the partnership between the State and Counties through the JCPC is in jeopardy. She presented a resolution stating support of the reinstatement of JCPC funding to the continuation budget for the Board's consideration. She said that Chowan County currently serves 167 children. Commissioner Cole also recognized Gwen Brown, a JCPC program coordinator for her efforts.

Commissioner Alligood moved that the resolution be approved as submitted. Chairman Cole asked for all in favor, the motion was approved unanimously (6-0).

### **RESOLUTION IN SUPPORT OF CONTINUATION OF JUVENILE CRIME PREVENTION COUNCIL FUNDING**

**WHEREAS**, Juvenile Crime Prevention Council (JCPC) funding has been removed from the continuation budget and is now subject to continuation review; and

**WHEREAS**, the non-recurring status of JCPC funding and subsequent continuation review will result in the loss of Intensive Supervision interpersonal skills program, After-School Plus tutoring and restitution/community service program, and Psychological Assessment Services which provide diversion and dispositional alternatives in Chowan County for more than 160 children each year; and

**WHEREAS**, a lack of sanction programs and dispositional alternatives in Chowan County may result in an increase in expense to the county for detention and other court ordered services;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chowan County Board of Commissioners strongly endorses full reinstatement of funding for Juvenile Crime Prevention Council programs to the continuation budget and the allocation of additional funds to support legislative mandates to protect the community and provide a juvenile justice continuum at the local level.

### **North Carolina Monthly Unemployment Rate Changes**

County Manager, Cliff Copeland provided the Board with an update on the unemployment rate changes as informational material. He noted that the current numbers are unacceptable and emphasized the need for the Economic Development Corporation to continue to bring business to the area to put people back to work.

### **Proposed Water Guidelines**

County Attorney, Peter Rascoe presented a proposed guideline for Chowan County for Cross Connection Control and Backflow prevention in the water distribution system. He noted that this policy will require adoption by the Board of Commissioners. He noted that the policy will require commercial and industrial users of the water system to install devices. He said there are plans to educate farmers on the necessity of the device. He said that State certification is required to inspect the devices and that local plumbers may be interested in obtaining certification. The plumbers will provide the test results to the County.

Citizen, Bill Dunn was recognized for bringing this matter to the County's attention. Mr. Dunn said he did these inspections in Portsmouth VA prior to moving to North Carolina.

Commissioner Gardner moved that the policy be adopted as submitted. Chairman Cole asked for all in favor, the motion carried unanimously (6-0).

### A Resolution Establishing a Cross-Connection and Backflow Prevention Policy To be Administered by the Chowan County Water Department

Whereas Chowan County, NC owns, operates, and maintains a public water supply system regulated by the State of North Carolina Department of Environment and Natural Resources, Division of Environmental Health pursuant to Administrative rules adopted by the North Carolina Environmental Health Commission; and

Whereas the Rules of the Environmental Health Commission, as a condition of ongoing approval and permitting, require that Chowan County maintain a *Water System Management Plan*, and that such plan shall require the water supply system to maintain a policy regarding *cross connection control* [15A NCAC 18C .0307 (c)]; and

Whereas 15A NCAC 18C .0102 defines "cross-connection" as:

- (A) any physical connection between a potable water supply system and any other piping system, sewer fixture, container, or device, whereby water or other liquids, mixtures, or substances may flow into or enter the potable water supply system;
- (B) any potable water supply outlet which is submerged or is designed or intended to be submerged in non-potable water or in any source of contamination or;
- (C) An air gap, providing a space between the potable water pipe outlet and the flood level rim of a receiving vessel of less than twice the diameter of the potable water pipe.

Whereas 15A NCAC 18C .0406 mandates compliance standards for the distribution portion of the Chowan County Water Supply System, including "*Appendix B-Cross Connection Control in Water Distribution Systems*"; and

Whereas it is the desire of the Board of Commissioners of Chowan County to insure that the Chowan County Water Department comply with the State's requirements mandating a policy be adopted and administered regarding cross connection control on the distribution portion of its public water supply system;

Whereas it is also the desire of the Board of Commissioners that the aforementioned policy contain adequate protective measures to require certain users of the public water system to implement, install, and properly operate backflow prevention devices to insure that contaminants will not backflow through a cross connection in to the public potable water supply.

Now Therefore, the Board of Commissioner does hereby resolve that effectively immediately it shall be the policy of the Chowan County Water Department, to require certain users to adhere to the following Cross-Connection and Backflow Prevention Policy:

Cross-Connection and Backflow Prevention Policy for Users of the Chowan County Water Supply System

1. Any prospective or actual user of the Chowan County Water Supply System shall, as directed by the Chowan County Water Department, adequately acquire, install, operate, and maintain a backflow prevention device as shown in the attached *Chowan County Water Department Guidelines for Cross Connection Control and Backflow Prevention In Water Distribution System*; These Guidelines are incorporated into this policy and made a part hereof.
2. This policy shall apply to prospective users as a condition precedent to using the system - and to all existing users. Existing users shall have a period of twelve (12) months to comply with the policy.
3. Each user required to acquire and install a backflow prevention device, shall at the user's own expense have the device tested upon installation, after any repair, or annually by a certified backflow prevention assembly tester. Such tests shall be recorded and a copy submitted to the Water Department within 10-days after completion of any test and/or repair work.
4. Chowan County Water Department personnel, upon presentation of proper credentials and identification, shall have the right to enter any building, structure, or premises during normal business hours or at any time during an emergency for the purposes of sampling or testing of water, or inspections or observations of all piping systems connected to the public water supply. Unreasonable refusal to allow entry for these purposes may result in discontinuance of water service.
5. Any user required to operate a backflow prevention device who willfully and knowingly removes, tampers with, bypasses, violates any provision of 15A NCAC 18C .0406, refuses to have a device tested or submit a report of such test, reasonable refuses County personnel access for inspection, or who after reasonable notice fails to repair and re-implement a defective device, shall be subject to immediate discontinuance of water service from the Chowan County Water Supply System.

6. All prospective and existing users shall satisfy the interpretations of this policy by the Chowan County Water Supply System's Engineer and the Director of the Chowan County Water Department.
5. The provisions of 15A NCAC 18C .0406 (and any future amendments and successor rule) are hereby incorporated into this policy by reference.

**CHOWAN COUNTY WATER DEPARTMENT GUIDELINES FOR CROSS CONNECTION CONTROL  
AND BACKFLOW PREVENTION IN WATER DISTRIBUTION SYSTEM**

I. Degree of Hazard:

- A. Severe: Actual or potential threat of contamination that presents an imminent danger to the public health with consequence of serious illness or death.
- B. Moderate: One that presents foreseeable and significant potential for pollution, nuisance, aesthetically objectionable or other undesirable alterations of the drinking water supply.

II. Backflow Prevention Assembly Requirements:

<u>Degree of hazard</u>	<u>RPZ*</u>	<u>DCVA**</u>	<u>Air Gap</u>
Severe	X	-----	X
Moderate	-----	X	-----

\* Reduced pressure zone

\*\* Double check valve assembly

\*\*\* This is not intended to be an exhaustive list

III. Facilities that Require Installation of a Backflow Preventer\*\*\*:

A. Moderate hazard - DCVA:

1. Fire sprinkler systems without booster pump facilities or chemical additives.
2. Connection to tanks, lines and vessels that handle non-toxic substances.
3. Any commercial establishment.
4. Automatic service stations, bakeries and beauty shops with no health hazard and bottling plants with no back pressure.

B. Severe hazard - RPZ or air gap:

1. Underground irrigation systems

2. Wastewater treatment plants
3. Connection to an unapproved water system or unapproved auxiliary water supply
4. Connection to tanks, pumps, lines, steam boilers or vessels that handle sewage, lethal substances, toxic or radioactive substances
5. Fire sprinkler systems with booster pump facilities or chemical additives
6. Buildings with five or more stories above ground level
7. Hospitals, other medical facilities, including dental facilities
8. Morgues, mortuaries and autopsy facilities
9. Metal plating facilities
10. Bottling plants (subject to back pressure)
11. Canneries
12. Battery manufacturers
13. Exterminators and lawn care companies
14. Chemical processing plants
15. Dairy, livestock, fowl, agricultural, horticultural, or commercial fertilizer operation
16. Film laboratories
17. Car wash facilities
18. Dye works
19. Laundries
20. Institutional, club, or association swimming pools
21. Water front facilities
22. Veterinary facilities
23. Breweries
24. Any manufacturing or industrial facility

IV. Approved Backflow Prevention Assemblies:

Meets American Society of Sanitary Engineering (ASSE) standard and carries ASSE seal or is on the University of Southern California approval list.

V. Backflow Prevention Assembly Installation:

Backflow prevention assemblies must be located in a place where it is readily accessible for regular testing, maintenance and inspection. Bypass lines parallel to a backflow prevention assembly shall have an approved backflow prevention assembly installed that is equal to that on the main line.

A. RPZ:

1. Above ground installation preferred.
2. Below ground vault shall have positive drainage with adequate gravity drainage to atmosphere.
3. 12 inches minimum clearance from vault walls and floor.
4. Installation in accordance with manufacturer's recommendations.

B. DCVA:

1. Vertical or horizontal installation acceptable.
2. Adequate drainage shall be provided if installed below ground.

**.0406 DISTRIBUTION SYSTEMS**

(a) Water Pipe Materials. Distribution mains shall be cast iron, ductile iron, asbestos-cement, reinforced concrete, plastic or other material designed for potable water system service and shall be the appropriate AWWA standards, section C, or NSF Standards No. 14 and No. 15, which is adopted by reference in accordance with G.S. 150B-14(c) or approved equal standards. Copies of AWWA standards are available from the American Water Works Association, 6666 W. Quincy Avenue, Denver, Colorado 80235. Copies of NSF standards are available from the National Sanitation Foundation, NSF Building, Ann Arbor, Michigan 48105. Copies are available for public inspection at the principal address of the Division. The pressure rating class of the pipe shall be in excess of the maximum design pressure within that section of the water distribution system. The quality of pipe to be used shall be stated in the project specifications.

(b) Cross-Connections

- (1) No potable water supply shall be connected by any means whatever to another source of water supply or to a storage facility unless such connection has been previously approved by the Division. No connection shall be made to any plumbing system that does not comply with the North Carolina State Building Code, volume II, or any applicable local plumbing code.
- (2) No person shall introduce any water into the distribution system of a public water supply through any means other than from a source of supply duly approved by the Department or its representatives, or make a physical connection between an approved supply and unapproved supply unless authorized in an emergency by the Department or its representative.
- (3) In cases where storage capacity is used only for non-potable purposes and there is installed either an elevated tank or a ground reservoir, the following precautions shall be taken:
  - (A) When the reservoir or elevated tank is filled from a supply other than a public water supply and the public water supply is used as a supplemental supply, the pipeline from the public water supply shall be installed in such a manner that the water will be discharged over the top or rim of the reservoir or elevated tank. There shall be a complete physical break between the outlet end of the fill pipe and the top or overflow rim of the tank or reservoir of at least twice the inside diameter of the inlet pipe.
  - (B) When the elevated tank or ground storage reservoir is filled entirely by water from a public water supply:
    - (i) If a covered ground reservoir or covered elevated storage tank is used, an approved reduced pressure back-flow preventor or an approved double check valve assembly may be used. The back-flow prevention device shall be installed in such a manner as to afford adequate protection and shall be easily accessible and shall include all necessary pressure gauges and drains for testing. Gate valves shall be installed in the line at both ends of the back-flow prevention device.
    - (ii) If an uncovered ground reservoir or uncovered elevated storage tank is used, a complete physical break shall be provided between the reservoir or elevated tank and the public supply. The physical break between the inlet pipe and the top or overflow rim of the reservoir shall be at least twice the diameter of the inlet pipe.
- (4) All cross-connections between potable water supplies and non-potable or unprotected supplies which are not specifically covered in the categories in this Paragraph will be considered as special problems and the protective devices required will be determined by the Department on the basis of the degree of health hazard involved.
- (5) Persons desiring to install non-potable water supplies in conjunction with a public water supply shall submit to the public water supply section, Division of Environmental Health, detailed plans and specifications in triplicate showing the non-potable water supply and its relation to the potable water supply.

- (6) Any such interconnection to a potable water system is subject to the approval of the water supplier and shall not be made until authorized by the water supplier in addition to the Department.
- (7) No person shall fill special use tanks or tankers containing pesticides, fertilizers, other toxic chemicals or their residues from a public water system except at a location equipped with an over-the-rim free discharge of water or an approved reduced pressure backflow preventer properly installed on the public water supply. No supplier of water shall permit the filling of such special use containers except at locations so equipped.

*History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;  
Eff. January 1, 1977;  
Readopted Eff. December 5, 1977;  
Amended Eff. September 1, 1990; December 1, 1988; June 30, 1980.*

### **Recycle Program Updates**

Mr. Copeland said that the recycle program is at about 30% penetration. He said a letter will be mailed to the residents county-wide. He said that recyclable revenue is up to \$50 per ton.

### **Safety Program Updates**

Safety Manager, Doug Belch provided updates on the latest activities of the Safety program.

### **OLF Update**

Mr. Copeland noted that all of the original OLF sites were eliminated from the list. He said that only two remaining North Carolina sites remain under consideration, they are Gates County and Camden County. He provided the Board with a copy of an email from Melinda Hoggard, County Manager in Gates, outlaying the opposition of an OLF site in Gates County and soliciting support from the Chowan County Board of Commissioners. The Board requested that a letter of support be sent to Gates County.

### **Albemarle Commission Board Appointment**

Mr. Copeland noted that under the revised by laws of the Albemarle Commission the County will appoint two representatives; 1 elected (Commissioner Goodwin) and one non-elected representative. He said that the Board will need to nominate a non-elected representative for this Board. Commissioner Goodwin nominated Jim (James) Brock for this position. He said that Mr. Brock has indicated that he is willing to serve. Mr. Belfield moved that the nomination be accepted. Chairman Cole asked for all in favor, the motion carried unanimously (6-0).

### **New Business**

Chairman Cole noted that he will request that Attorney John Morrison attend a future Board meeting to give an update on Mental Health reform.

### **Manager's Report**

County Manager, Cliff Copeland provided the managers report updating the Board on recent activities noting that immediate repairs were made at Bennett's Mill Pond and the water is not rising to normal levels, successful Library fundraiser raised over \$60,000 and EMS call load still heavy.

Mr. Rascoe gave an update on the Fishing Pier project noting that the pier is still in design phase.

### **Public Comment**



Citizen, David Barrett asked what the County's position was on the new legislation for road improvement.

County Manager Cliff Copeland said that the legislation, in his opinion, is designed for more urban areas and that the County would not be interested in undertaking road construction/improvements.

**Executive Session – Personnel**

Commissioner Belfield moved that the Board go into Executive Session. Chairman Cole asked for all in favor, the motion carried unanimously (6-0).

The Board discussed the hiring procedures for the next County Manager.

Commissioner Goodwin moved that the Board close the Executive Session. Chairman Cole asked for all in favor, the motion carried unanimously (6-0).

**County Manager Hiring Procedure**

Commissioner Alligood moved to advertise the County Manager position in the NCACC periodical/website for a period of 30 days or until a suitable candidate is selected. The motion carried unanimously. (6-0).

There being no further business before the Board, the meeting was adjourned.

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Ralph Cole  
Chairman

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L. Susanne Stallings  
Clerk to the Board

(SEAL)

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Commissioner Gardner  
Minutes of Executive Session